

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAVID WAYNE GADDY

§
§
§
§
§
§

PLAINTIFF

v.

CIVIL ACTION NO. 1:10CV59-LG-RHW

**FRANKLIN D. BREWER, Warden, and
JIM HOOD, Attorney General**

DEFENDANTS

JUDGMENT

This matter having come on to be heard on the Proposed Findings of Fact and Recommendation [14] entered by United States Magistrate Judge Robert H. Walker, the Court, after a full review and consideration of the Proposed Findings of Fact and Recommendation, the pleadings on file, and the relevant legal authority, finds that in accord with the Order entered herewith,

IT IS THEREFORE ORDERED AND ADJUDGED that the Proposed Findings of Fact and Recommendation [14] entered by United States Magistrate Judge Robert H. Walker on June 18, 2010, is **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the defendants' Motion to Dismiss [7] is **GRANTED**. David Wayne Gaddy's Petition is **DISMISSED**.

SO ORDERED AND ADJUDGED this the 30th day of July, 2010.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE